Continental J. Sustainable Development 2: 8 - 19, 2011
© Wilolud Journals, 2011
http://www.wiloludjournal.com
Printed in Nigeria

THE NIGERIAN PRESS: THE JOURNEY SO FAR

ARO Olaide Ismail
College of Law, Igbinedion University Okada, Edo State, Nigeria

INTRODUCTION

The sailing of Nigeria ship in politics from Colonial era have been in conjunction with some people who can be described as the Nation builder because of the role they have played in Nigeria political development among whom is the Press[1]; who make good use of their institution to contribute immensely to development of Nigeria despite the fact that the political arena is unfriendly to them. The Press which is the bone of contention here makes judicious use of the institution to enhance nationalist struggle which later extend to different dispensation that we have been as well as different military era and currently democratic dispensation of ours which as a matter of fact; not a Child play. Men of the press were humiliated and victimized which even worst during Military era with slighted differentiation during Civilian era. Despite the above, the institution and its men were determined, as a result of which they faced the different challenges created by the political arena which make them to deserve our kudos. It is undisputable fact that given kudos to men of the press and the institution at large does not mean that 100% success were recorded by them because of the imperfect nature that is peculiar to human being coupled with the presence of some Shaft among them but determined members among them make it necessary.

In lieu of the above, this paper beck to examine holistically with respect to all forms of government operated in this Country in relation to the performance of her constitutional role. The paper will also attempt to analyze the myriad of problems and challenges confronting the Nigerian Press and finally recommend a way forward toward achieving an independent Nigerian Press.

Historical background and development of the Nigeria press in the political arena

The historical background and development of the Nigerian Press commenced with the printing media on 3rd December 1859 by a Christian Missionary named Reverend Henry Townsend who established the first Newspaper in Nigeria called *"Iwe Iroyin fun awon Egba ati Yoruba"* which literary means *"A Newspaper for the Egba and Yoruba*[2] *Nations"* {Ese Malemi, 1999} in today's Abeokuta the Capital city of Ogun State to promote literacy and build up elites among the then EGBAs[3] and not with current serving political motive but as a matter of fact succeeding Newspapers choose contrary with an indelible footprint as far as political history of Nigeria is concerned. The demise of 'Iwe Iroyin' later resulted to the emergence of other Newspapers like *Anglo-African*, *Lagos Time and Gold Coast Advertiser*, *Lagos Observer*, *The Eagle and Lagos Critic*, *The Mirror*, *The Nigerian Chronicle*, *The Lagos Standard*, *Lagos Weekly Record*, *African Messenger*, *The West African Pilot*, *Nigerian Tribune* {Reuben Abati, 1998}.

---

[1] According to Black's Law Dictionary 8th Edition at page 1223 the word 'Press' means the news media; print and broadcast news organization collectively . . . could refer to one or more subsets of media, defined either by function or form. Also Webster's NewWorld Thesaurus in its *New Revised Edition* at pg. 584 perceived it synonymous as the Fourth Estate, Publishers, Publicists, Newsmen, Newspapermen, Journalists, Journalistic Writers, Editors, Correspondents, Political Writers, Columnists, Periodicals, Print Media, Periodical Press, Papers, Newspaper

[2] The Egbas are those that currently grouped as Ogun Central Senatorial District of Nigeria while the then Yoruba Nation are those that currently constitutes South-West Region of Nigeria

The era not only resulted to the emergence of Newspapers in Nigeria but also gave birth to an articulated vibrant and veteran journalists who made judicious use of this created institution {press} to fight Colonialist under nationalist struggle which gradually led to Nigeria Independence in 1960 and as a matter of fact, this has placed them in front role in Nigeria political arena since then. Corroborating this, M. H. Kukah {1999}[4] stated that journalism was the major vehicle through which the anti-colonial struggle in Nigeria was carried out. Many of the Major figures in this struggle are Herbert Macaulay, Nnamdi Azikiwe, Ernest Ikoli, Obafemi Awolowo, Anthony Enahoro, Dutse Mohammed Ali, Mokwugo Okoye to name but a few who were newspaper publishers, journalists, commentators and or editors. Their newspapers served as platform for mobilising the people, spreading nationalist awareness and for opposing the worst manifestation of colonial subjugation and the racialism which is customary to them. Also Fred Omu {1978} the pre-eminent historian of the Nigerian Press said the early Nigerian Press provided the most distinguished intellectual forum in Nigeria history. One in which the high standard of debate, discussion, the quality of thought and expression cannot fail to fascinate the modern reader.

Interestingly, Nigerian Press moved beyond publication industry to electronic industry around 1932 when radio broadcasting was introduced as a relay of the British Empire service with the establishment of a *Relay Station* in Victoria Island {parts of today's Lagos State} through which broadcasting were made to major Cities in Nigeria via wired-wireless called *Radiofusion {'Goke Raufu, 2003}*. This was succeeded by Radio Nigeria which was established through Nigerian Broadcasting Corporation {NBC} incorporated and operates under Nigerian Broadcasting Corporation Ordinance of 1956 was subsequently divided along with 3 Regions we have in Nigeria then under the control of the concern Region and headquarter remain in Lagos. The regionalisation introduced then coupled with political bias of Radio Nigeria as well as inadequacy as regards coverage and availability of market to be exploited by commercial broadcasting inter alia instigated the then Western Region spearheaded by the Late Legend; Chief Obafemi Awolowo to inaugurate *Western Nigeria Broadcasting Corporation* {WNBC} around May 1959 and successfully went on air in the same year. The Western Nigeria Broadcasting Corporation {WNBC} was followed on 31st October 1959 by *Western Nigeria Television {WNTV}* which as a matter of fact served as the first television station in Nigeria and Africa at large and later emulate by other Region around 1962.

After the Independence, the Nigerian Press was so developed to the extent that so many Newspapers and Magazines were established, and electronics media such as WNTV, WNRC and NBC among others have been metamorphosed to *Nigerian Television Authority {NTA}* and *Federal Radio Corporation of Nigeria* {FRCN} with many stations across the Nation[5] as well as other stations owned by the State Governments. Although, private individuals were not empowered to own electronic media as it is for publishing counterparts. The interesting fact about Nigerian Press at this stage of our political development is that men of the press continuously playing their roles which appears as a threat to the selfish desires of some people in government who intend to monopolised and controlled the public space as a result of which instruments available in government were sagacious use to achieve their objectives. Not only that, men of the press move to the extent of informing the people that the primary motive of the Colonialist Successors were not different from the

---

[4] Other Journalists that emerged then are Sir Kitoyi Ajasa, John Payne Jackson, Thomas Horatio Jackson, F. H Braithwaite, Akinwande Savage, Nelem Abam, Magaji Dambata, Babatunde Jose to name a few

[5] Available FRCN Stations are Radio Nigeria 1 Ibadan, Radio Nigeria 1 Lagos, Radio Nigeria 2 Ibadan, Radio Nigeria 2 Lagos,
Radio Nigeria 3 Lagos, Radio Nigeria Abuja, Radio Nigeria Enugu, Radio Nigeria Kaduna, Aso FM Abuja, Voice of Nigeria and other
sub stations. While that of NTA are NTA Aba, NTA 12 Abeokuta, NTA Abuja, NTA Akure, NTA Awka, NTA Bauchi, NTA Benin, NTA
Calabar, NTA 8 Enugu, NTA Ilorin, NTA 5 & 7 Ibadan, NTA Jalingo, NTA Jigawa, NTA Jos, NTA Kaduna, NTA Kano, NTA Katsina, NTA
Kebbi, NTA 2 & Channel 5 Lagos, NTA 7 Lagos, NTA 10 Lagos, NTA Lokoja, NTA Maiduguri, NTA Makurdi, NTA Minna, NTA Owerri,
NTA Port Harcourt, NTA Sokoto, NTA Uyo, NTA Yobe, NTA Yola, NTA Zamfara e.t.c

Colonialists themselves as well as shedding light on their competency {Reuben Abati, 1998}. Later on, Politicians gradually employed the press as a strain of ethnical affiliation and avenue for negotiating power and as a matter of fact *the Pilot* which is non-ethnical then began to participate in ethnic politics to the extent of supporting one candidate against the other and the then practicing regionalisation increased the level of partisanship of the Nigerian Press.

The attainment of Independence status in 1960 coincident with the reshaping of the Nigerian press in the sense that most of the Proprietors of the then available Newspapers were Politicians during colonial era and as well saw the presence of the Press as an instrument of acquiring their different aspired office to the extent that those who did not have any print media were motivated to established their own and as a matter of fact those papers were serving their proprietors' interest based on an adage which say: "the piper dictates the tune". Corroborating this, Reuben Abati {1998} stated thus: *"At every moment in Nigeria history, the press has been in the forefront, manning the barricades. The centrality to the issues of the day and lives of the people has brought the Nigerian press much travail. From colonial times, it has been treated as a major tool of power. Opposing power centers which feel threaten by its dynamism invariably seek to control the press through several means in which politicians latter result to misuse of mass media to achieve their selfish desire"*.

And as a matter of fact, this appears to this present writer as one of the major factor that led to the intervention of the Military {through revolution} in our Political Arena in 1966. The transitional government tagged Second Republic which commenced on 1st October 1979 changed the historical development of the Nigerian Press from this point and despite the fact that Nigerians expect the institution to have learnt her lesson, the partisan politics peculiar to the Nigerian Press affect it realization which was caused by political affiliation of the owner of the institution that was finally brought to an end through coup d'état on 31st December 1983. It will interest you to note that one of the commendable achievement of the military government vis-à-vis Nigerian Press is that the government empowered privately owned electronic media in Nigeria by granting license to non-governmental bodies to commence broadcasting in Nigeria upon fulfillment of some requisite conditions through the promulgation of National Broadcasting Commission Decree No 38 1992 [6] which pave way for the establishment of *Ray Power FM Radio Station* with *Africa Independence Television {AIT}* as the pioneer privately owned Radio and Television Station respectively in Nigeria and others[7] that were in existence up this present time. Please take note that Nigerian Press was presumed as the enemy of the government since colonial era to the present day democratic era as a result of which they were oppressed. No wonder Golding and Elliot {1979} posited that Nigerian journalism was created by anti-colonial protest, baptised in the waters of nationalist propaganda and matured in party politics.

Oppression stages faced by the Nigerian Press in the polity

The oppression commenced around 1891 when Official Secrets Ordinance No. 2 of 1891 was introduced up till 1903 when Lord Fredrick Lugard led Colonial government used the *Newspaper Ordinance* 1903 which was further strengthened in 1907 to control the articulate anti-colonial and anti-Lugard Local Press which were later supported with the *Seditious Publications Act of 1909* and solidified with the introduction of the *Criminal Code* in 1916 with specific sections of it making any form of criticism seditious {offensive}. The most Interesting fact is that the accused were taken to Court and Colonial Administration abides by Court judgments which to some extent appear as a respect to the rule of law which did not affect jungle justice in forms of victimization to journalists who criticised government. Journalists like James Bright Davies an Editor of the Nigerian Times was charged for sedition in 1916 and subsequently found guilty because he published that Nigeria would be free from Lugard's administrative cruelty one day. Not only that, *Thomas Jackson* of the Lagos Weekly Record was jailed in 1925 for two months as well as J. A. Olushola and Dr. Caulcrick of the Daily News were fined £ 50

---

[6] Now *National Broadcasting Commission Act Cap N.11 Laws of Federation of Nigeria*, 2004

[7] Others Private owned Radio Station are Cool F.M, Rhythm F.M, Star FM, Minaj FM, Independent Radio, and Jeremy Radio.

While the following were other Private owned Television Stations Channels Television, Degue Broadcasting Network

{DBN}, Galaxy Television, Murhi International Television, Minaj Broadcasting International {MBI} Television, Independent

Television{ITV}, TV Continental, Superscreen Television e.t.c

each while Herbert Macaulay the proprietor was jailed without option of fine for criticising government. This is the position of thing till 1960 when Nigeria gain Independence.

The intervention of the revolutionary {military} government of General Aguiyi- Ironsi in 1966 which were welcomed initially based on the disappointment experience by the people from the then Politicians who made sumptuous promises during Nationalist struggle which its fulfillment appeared to the contrary; laid the worst foundation for oppressing the press. General Yakubu Gowon who succeeded General Aguiyi-Ironsi in his contribution to this oppression promulgated the *Emergency Decree of 1966* which made arrest and detention of Citizens without warrant lawful and also empowered the Inspector - General of Police and other Officers of the same or higher rank to search any Newspaper Office or Premises in Nigeria without warrant or notice; based on which Daily Times office {Weekend Times} was searched by the Police in 1968. The Decree was criticised by Nigerians amongst who is Alhaji Lateef Jakande {1974} who observed that the *Army's Emergency Decree of 1966* was sufficient to turn the Nigerian Press into a captive press.

The administration also proceeded in 1967 to promulgate another Decree titled the *Newspaper Prohibition of Circulation Decree 1967* which empowered the Head of Federal Military Government to restrict from circulation of any newspaper in Nigeria where he satisfied that it is detrimental to the interest of the federation or any State thereof within the federation which may subsist within 12 months unless restricted or extended by the Head of State as the case may be and refusal to comply entitled such journalist to 6 months imprisonment and or N500 fine. As if this was not enough, *Trade Disputes {Emergency Provision} Amendment Decree No 53 of 1969* was also promulgated which made it an offence for any person to publish in a newspaper, television or radio or by any means of mass communication, any matter which by reason of dramatization or other deflects in the manner of its presentation was likely to cause public alarm or industrial unrest.

Perusing these Decrees carefully, it will be discovered that the major motive of this administration was to shut men of the press up from discharging their primary role as watchdog and vanguard of nation's building as well as ensuring and diverting their mind from these roles they have been playing in government since the colonial era that have agitated commentator like Williams Hachten {1976} to praise pre-1965 Nigerian Press thus: the best example of libertarian press in Africa have been ebullient and iconoclastic newspaper of Nigeria before 1965 … . Part of the humiliation and oppression experienced by men of the Press is what happened to Minere Amakiri the Chief Correspondent of the Nigerian Observer in Rivers State who was subjected to the notorious three-tier style of punishment: the shaving of his hair with an old rusty razor blade, stripping him in full obscene nakedness and the infliction of 24 strokes of the cane on his back by Military Officers under the supervision of Ralph Michael Iwowari, who was then an Assistant Superintendent of Police and the Aide-de-camp to the then Rivers State Governor' Commander Alfred Diete-Spiff. The fact is that on the 28th July 1973, a press conference was held by the Nigerian Union of Teachers, Port Harcourt State Chapter which ventilates grievances she had with the Government of Rivers State. Its publication coincide with the 31st birthday of the then Governor of Rivers State, Commander Alfred Diete-Spiff {Guardian Newspaper, 2008} which resulted to the Amakiri's experience.

Unfortunately, General Muritala Mohammed/General Olusegun Obasanjo's administration brought General Yakubu Gowon's Administration to an end around July 1975 and the most interesting fact about this administration is that instead of departing from his predecessor's behaviour, contrary is the case as a result of which New Breed Magazine was prohibited from circulation around July 1978 in accordance with Newspaper Prohibition from Circulation Decree 1967. The administration further promulgated a Decree on 8th April 1979 titled the *Newspaper Public Official Report Decree* which provided that any person who published or reproduces in any form whether written or otherwise; any statement, rumour or report alleging that a public officer has in any manner been engaged in corrupt practices or has in any manner corruptly enriched himself or any other person being a statement, rumour or report which is false in any material particular, shall be guilty of an offence and be liable on conviction to imprisonment for a term not exceeding 2 years without option of fine[8].

Despite the fact that the Decree appear unfair as well as unjust which agitate some people to perceived it as totally onerous and sweeping among whom is John Darton {New York Time, 1976} the then Correspondent of New York Times in Lagos who stated thus: …The Nigerian Press is bristling under a new government Decree

[8] Section 1 of Newspaper Public Official Report Decree, {1979}

that imposes several penalties if an accusation of corruption against a public official is not correct in every detail. Nigerians in general as well as men of the press in particular accepted their fate. No wonder Alhaji Lateef Jakande {The Nigerian Tribune, 1976; Chris W. Ogbondah, 1992}, the then Managing Director of Nigeria Tribune observed that "… the decree would stifle criticisms and offer protection to corrupt officers…. Suppose a reporter comes to know that certain a Minister purchased a row of buildings {with public money} in a particular street. If he {the reporter} prints that and it just happens that the Minister used his wife's name to disguise the purchase, the reporter would be liable under this law…The only way is not to publish it at all"

General Muritala Mohammed/General Olusegun Obasanjo's administration actually responds to people's civilian government clamoring on 1st of October 1979 which result to the emergent of Alhaji Shehu Shagari led Civilian Government that were subsequently brought to an end on 31st of December 1984 through coup d'état which result to General Buhari led Military Government. As customary to Nigeria Military Government political culture, the administration introduced series of draconian Decrees to curtail press and others who appeared as antagonists to Nigeria Military Government's desire. In 1984, Decree *No 4 of 1984* orderwisely known as the *Public Officers {Protection against False Accusation} Decree 1984* was introduced. The Decree made it an offence for a Newspaper or any Wireless Telegraphy Station in Nigeria to publish or transmit any message, rumour, report or statement which is false in particular that any Public Officer has in any manner corruptly enriched himself or any other person[9]. The Decree also made any person found guilty of this offence to be liable on conviction to imprisonment for a term not exceeding two years without the option of fine and in the case of a corporate body to a fine not less than N10, 000. Not only that, the Decree also prohibited the circulation of any Newspaper that may be detrimental to the interest of the federation or any part thereof as well as empowered the Federal Military Government to revoke the license granted to such Wireless Telegraphy Stations under the provision of the Wireless Telegraphy Act 1961 or order the closure or forfeiture of such Newspaper to the Federal Military Government[10].

It will interest you to note that the same Decree provides that where the offence is committed by a Corporate Body, every person who at the time of the commission of the offence was the Proprietor, Publisher, General Manager, Editor, Secretary or other similar Officer of the Body Corporate or was purporting to act in any such capacity shall be deem to be guilty of that offence unless he proves that the offence was committed without his consent or connivance and he had acted to prevent such an offence[11]. The Guardian Newspaper was the first and the last Newspaper to be caught by this trap as a result of which two journalists Messrs Nduka Irabor and Tunde Thompson were jailed and the paper was ordered to pay N50, 000 as fine. The regime of General Buhari was brought to an end on 27th of August 1985 by General Ibrahim Babangida led administration which in its inception released Messrs Tunde Thompson and Nduka Irabor that was jailed during General Mohammed Buhari's administration.

The regime played on Nigerians' intelligence initially, promised Nigerians in general and Men of the Press in particular, peaceful political arena that will be different from his predecessor's and as a matter of fact acted contrary to his declaration. No wonder Arthur Nzeribe {1990} posited as follows in respect of Head of the Military Government: "I have a President nicknamed Maradona, who has not done everything he said he would do and has done everything he said he would not do. My President set out initially trying to be loved, by all and to please all but end up being doubted by all for being unpredictable and contradictory… He dribbles and jogs Nigerians better than Maradona does with football players … a consummate soldier, leader, strategist, ruthless and selfish politician… an opportunist in the political arena; … bold, fearless and full of enterprises. He is cunning and foxy". Also Reuben Abati {1998} stated that Babangida administration which assumed power in 1985 had begun on a populist note. It wooed the press by pretending to undo the atrocities of the previous administration but within a year Babangida and his men also began to censor the press.

The administration repealed *Decree No 2 of 1984* and re-introduced another Decree titled the *State Security {Detention of Persons} Decree 2 1984* which was used to deal ruthlessly with the Press. The regime proscribed

---

9 *Section 1 {3} Public Officers {Protection against False Accusation} Decree* {1984}

10 *Section 2 {2} Ibid*

11 Section 3{2} *Ibid*

Newswatch Magazine for Six months around 1985 and was alleged of been brain behind assassination of its Editor – in-Chief, Mr. Dele Giwa in October 1986 via a bomb parcel {{Media Right Agenda, 2008}. Also the administration promulgated the *Nigerian Press Council Decree No. 85 of 1992* which established the Nigerian Press Council to deal with complaints by members of the public against the conduct of Journalists in their professional capacity. Also the administration on 9th April 1992 promulgated another Decree targeting on Concord Newspapers called *Concord Group of Newspapers Publication {Proscription and Prohibition from circulation} Decree No 14 1992* and as well restricted the intervention of Court in respect of any act done in compliance with the Decree which was repealed on 11th May 1992 through promulgation of another Decree titled the *Concord Group of Newspapers Publication {Proscription and Prohibition from circulation}{Repeal} No 17 of 1992.*

The administration also proscribed the publication as well as prohibit from circulation the following Newspapers around 1993 *Africa Concord Magazine, Weekend Concord, Sunday Concord, National Concord, The Punch, Saturday Punch, Sunday Punch, Daily Sketch, Sunday Sketch and Nigerian Observer*[12]. It is interesting to note that despite all these, the worst and turbulent experience was under General Sanni Abacha's regime of 1994 to 1998 which did not bother to woo or befriend Nigerian Press instead franked at the existence of press and even by act held contrary opinion to Thomas Jefferson's position that where it is left to him to decide whether there should be a government without newspaper or newspaper without government, he will prefer the latter {A. A. Yahaya, 1990}. The regime did not rely much on promulgation of any draconian Decrees to attack the press, instead Journalist were being alleged of conspiring in the execution of coup and subsequently jailed, newsprint were been seized in port, newspaper houses were proscribed, vendors of enemy publications were harassed, newspaper proprietors were attacked, publications were proscribed, fake publications became popular which were extended to electronic media.

It is very interesting at this stage to note that some Journalists were implicated and secretly tried along with General Olusegun Obasanjo and his Erstwhile Deputy; Late General Shehu Yar 'Adua with some serving and retired Military Officers to have conspired in plotting 1995 phantom coup and subsequently sentenced to life imprisonment which were latter commuted to 15 years imprisonment each by General Abdulsalam Abubakar's regime. The affected Journalist were Kunle Ajibade the then Editor of *TheNEWS* magazine, Ben Charles Obi former Editor of the Defunct *Classique* magazine, George Mbah a Senior Assistant Editor with *TELL* magazine and Chris Anyanwu former Publisher and Editor-in-Chief of the defunct *The Sunday Magazine* (TSM) which were later extended to Niran Malaolu[13] former Editor of *The Diet* Newspaper in 1997 phantom coup.

These experiences reached some extent that men of the Press were feel treating which is even made publicly known. No wonder Reuben Abati {1998} stated that: *Nigerian Press has faced several challenges since 1895 but no challenges has been more of a problem than the menace of military rule and threats to the freedom of the press and the capacity of the press to fulfill its mission as the voice of the voiceless and defender of the oppressed . . . So serious is Press censorship in Nigeria that between 1903 and 1998, there have been 29 anti-press legislation in the books. No other industry has been confronted with such a degree of official antagonism.* The sudden death of General Sanni Abacha brought his government to an end which resulted in General Abdulsalam Abubakar leads administration. This government is just slightly different from his predecessors but proscribed Guardian Newspaper and Guardian Weekly Magazine on 14th August 1994 through Decree No. 8 of 1994[14] and despite the above fact, fair enough if compared to General Sanni Abacha's administration. The administration amended the Nigerian Press Council Decree No. 85 of 1992 few days to the end of the government.

The new Decree titled the *Nigerian Press Council (Amendment) Decree No. 60 of 1999* empowered the Council to be in-charge of registration of journalists and newspapers as well as magazines annually which also provides for the imposition of heavy sanctions on the proprietors and publishers of any newspaper and magazine which fail to register in accordance with the provisions of the Decree. The Decree in contradiction to Section 7 of the

12 *Section 1 of Newspaper {Proscription and Prohibition from Circulation} Decree No 48* {1993}

13 Newswatch, 5 January 1997

14 Guardian Newspapers and African Guardian Weekly Magazine {proscription and prohibited from circulation} Decree
No. 8 of 1994

formal by providing that the Council shall adopt "*the Code of Conduct of the Nigerian Union of Journalists to guide the Press and Journalists in the performance of their duties*" and empower the Council to require the Nigerian Union of Journalist to provide the "*Code of Professional and Ethical Conduct*" which shall subject to the approval of the Council[15]. It implies that the Council will no longer adopt the existing Code of Conduct for journalists but only a Code of Professional and Ethical Conduct approved by it will be recognized. But the indelible footprint associated with this regime is that the regime actually responds to civilian government transitional demands on 1st May 1999 and as a matter of fact increases the people's hope on free press in our Political Arena.

Instead of the succeeding democratic regime to depart from humiliating and oppressing men of the Press and as well conferred freedom of expression and information on the press without constraint[16] contrary is the case, some Journalists experience in 2000 must not be left out namely Nnamdi Onyeuma, Emmanuel Okike-Ogah, Ogbonaya Okorie, Ademola Adegbamigbe and Igha Oghole {United State Bureau of Democracy, Human Rights, and Labour, 2000}. Also Fidelis Mbah {the Local Correspondent of British Broadcasting Corporation (BBC)} as well as Tade Oludayo of Silverbird Television and Rhythm FM radio were arrested and detained in Ibadan the Capital City of Oyo State on January 10 2008 simply for taking photographs of a controversial statue of an "Unknown Soldier" erected to replace the statue of Chief Obafemi Awolowo by the Oyo State Government in a public place {Media Sustainability Index, 2006–2007}. To worst the situation, Nigeria government were still allowing some laws that constitute threat to freedom of press among others to be in existence and as a matter of fact some of them are not directly aimed at the media, but which because of their sweeping nature, posed a threat to media practice and efforts calling for media law reforms that would solve this were neglected instead the government were feeling threaten {Media Rights Agenda, 2000} but later on, a Committee was constituted with the mandate of suggesting recommendations for a possible review of the Nigeria Press Council Act that brought about *The Nigerian Press and Practice of Journalism Council Bill 2009* which is before the National Assembly for consideration unto law {Tribune Newspaper, 2009}.

And funny enough, some people have institute action in their personal capacities and representation of other members of the Newspapers Properties Association of Nigeria {NPAN} with suit No. FHC/L/CS/1324/99 challenging the constitutionality of the Nigeria Press Council Decree No. 85 of 1992 as amended by Nigerian Press Council (Amendment) Decree No. 60 of 1999 and seeking a declaration that in so far the Nigerian Press Council Decree No. 85 of 1992 and the Nigerian Press Council (Amendment) Decree No. 60 of 1999 now Nigerian Press Council Act Cap N128, Laws of Federation of Nigeria 2004 are inconsistent with Section 4(2) (4) (a) and (b) of the 1999 Constitution; it is null and void {Vanguard Newspaper, 2010}; in which the case was decided by Federal High Court {Tribune, 2011} sitting in Lagos in favour of NPAN in which the other Party will still appeal. In responds to people's demand for a free press, a Bill titled Freedom of Information {FOI} Bill was introduced to House of Representative in 2003 as a private member Bill which did not see light of the day as President Olusegun Obasanjo regime eventually ended in 2007 without passing it into law and resulted to the emergent of President Umaru Musa Yar' Adua led government which is expected to perform better on it instead only have a landmark step through given hope that it will become law but after the House of Representative pass it unto law, it takes House of Senate 2 years to complete deliberation on it and at the end of the day was struck-out. The sudden death of President Yar' Adua led to his succession by President Goodluck Jonathan led government who have also have an impact as far as passage of Freedom of Information Bill is concern because House of Representative have after it re-introduction to the House pass it into Law on 24th of February 2011 and hopefully Senate will follow suit.

It should be noted that Freedom of Information Bill is not really focused on Press but will make information freely available to Press in the same way it will available to other people who may request for it. Corroborating this Chief Lateef Jakande stated thus: The FOI bill or law will strengthen the profession because it will give the

---

15 Government of Federal Republic of Nigeria, *Section 7{1} and {3} of Nigerian Press Council (Amendment) Decree No. 60* {1999}

16 See Section 22, Section 39(1) and Section 6{6}{c} of the 1999 Constitution of Federal Republic of Nigeria

journalists the backing they require to probe information, to acquire information and to publish it {Punch Newspaper, 2011}. I'm not surprised with the delay FOI Bill is having because it is based on what I perceived as fear of insecurity by Nigeria Politicians and others who are benefitting from them because Nigerian government generally is operating in secrecy and stealth which is an ideal planted by Colonialist and as a matter of fact it is the major vehicle that aids corruption in Nigeria[17].

It must be noted that over ambition of our political Leaders also contribute to this problem at this stage of our political arena as a result of which men of the press were humiliated, victimised and mal-treated while some were even assassinated courtesy of political crisis because it is very clear that whatever presumed by them to have been hid were at the finger tip of the press. And what appear as most recent challenging to Men of the Press is kidnapping[18] that were extend to them among others.

The Constitutional obligations and the expectable role of the Nigerian Press

Section 22 of the 1999 Constitution of Federal Republic of Nigeria provides that the press, radio, television and other agencies of the mass media shall at all times be free to uphold the fundamental objective contained in the Constitution {which cut across government and people, political objectives, economic objectives, social objectives, educational objectives, foreign policy objectives, environmental objectives, directive on Nigerian cultures, national ethics and duties of the citizen} and uphold the responsibility and accountability of the government to the people which was further strength by virtue of Section 39{1}. Section 39{1} provides that *every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive, impart ideas and information without interference.* But to be sincere with ourselves this vested power in respect to press have been handcuffed by various law which pose great threat to them and as well served as an obstacle to some extent to Citizen natural right of contributing to their political development.

It is the belief of this present writer in conceding with Justice Hugo Black's dissented opinion in American Case of Barenblatt v USA {360 US 109 {1959}; where he stated that "*the only constitutional way our government can preserve itself is to leave its people the fullest possible freedom to praise, criticize, or discuss as they see fit, all government policies and to suggest, if they desire, that even its most fundamental postulate are bad and should be changed"* and that no agent or an institution can be use to achieve this than the Press. It is on this basis, I'm calling on every Nigerians to support the resurrecting of the dead FOI Bill and not only that but to ensure its passage unto law because it's benefit is not restricted to the press freedom alone but will empower all Nigerians to demand good governance from those that are managing the affairs of the government which have made tremendous impact in some Countries {Daily Sun Newspaper, 2009}. It should be noted that war against corruption in Nigeria is a child play without the existence of FOI law.

Despite the above fact, your special attention were needed to be called to submission of His Excellency, the Vice President {Now President} of Federal Republic of Nigeria; Dr Goodluck Ebele Jonathan's {Saturday Punch Newspaper, 2008} during 15th Year anniversary of *News magazine* where he stated among others that it is only when we do things properly we can achieve the goals for which we have set for ourselves as a people. Which connote at this point that it is only when Nigerian Press were empower with FOI Law they can perform their duty properly as well as truly serve as the watchdogs and vanguards of our Nation as expected of them

---

17 In the message of Woodrow Wilson {1865-1924} a Democrat and 28th President of the United State of America "Everybody knows that corruption thrives in secrets places and avoids public places, and {we believe} it is fair presumption that secrecy means impropriety". Cited in Norman Morman Marsh QC, '*Public access to Government Held information'* {Stevens, 1987}
See also A.G v. Newspaper Publishing Plc {1987} 3 All ER 276

18 On Sunday 11th of July 2010 Mr. Wahab Oba{Chairman of NUJ Lagos State Chapter}, Mr. Sylva Okeke{Assistant-Sectary of NUJ Lagos State}, Adolphus Okonkwo and Mr. Shola Oyeyipo as well as their driver Mr. Azeez Abdulrauf was kidnapped in Abia State on gunpoint on their way from Nigerian Union of Journalist National Executive Council meeting held in Uyo, Abia State

especially for the purpose of ensuring good governance and practicable democracy which will have great impact in re-orientating us to be good Nigerians.

It is on the basis of the above fact coupled with M. H. Kukah {1999} postulation that "*for democracy to take firm roots in our nation there is no doubt that the media will have to be alert to its duties and responsibilities as a genuine watchdog"* and Napoleon Bonaparte's postulation some years back that "*a journalist is a grumbler, a censurer, a giver of advice, a regent of sovereigns, a tutor of nations . . . .*" {The New Webster's Dictionary of English Language} I'm challenging men of the press on the following ground.

The Press should avoid propaganda during the cause of reporting an incident which means that Men of the Press should learn that incident should be reported exactly how it happened rather than reframing it to achieve particular goals. Also Nigerian Press should learn how to avoid the attitude of siding or and creating warring faction among politicians especially during civil and democratic dispensation that we have been since 1999 irrespective of who own the institution because this have result to loss of confidence in some of the institutions. No wonder Dele Ajayi {2009} stated that: *on a deeper scrutiny by analytical minds, mine inclusive; that had been following the press induced and media promoted impasse in Ekiti State re-run election, I begin to ask the question "what is the future of democracy in Nigeria?, if something is not done on the kind of journalism been practised in the nation". In the few weeks proceeding the April 25 re-run election date, I almost concluded that, it is worthless reading Nigerian newspaper. I sometimes read some news items in the paper that often live me with the conclusion that "possibly, there is another Ekiti State elsewhere, apart from the one I live in. Caution was thrown into the dustbin and propaganda became the daily trademark. There was an obvious split in the newspapers with, The Nation, The News, PM News, Guardian, and Punch on the AC side, while, Compass, Tribune and Sun amplified PDP positions. The electronic media was dominated principally by the AC with Adaba FM leading the prowl. At a point in time, my father in law who lives in Akure jokingly asked me, if part of the Ekiti rerun election will take place in Ondo State, in apparent reaction to the dominance of Ondo State airwave with Ekiti Rerun Stories. Interviews were promoted by some national news media, where the moderators often know that so many of the submission were blatant falsehood and inciting, but they still encouraged it. There were no decorum in most of the interviews and issues of development and progress of Ekiti were left unattended to rather, personalities were been maligned.*

Men of the Press should avoid corruption and unethical practices which have been the basis of exposing them to be partisan that has become order of the day in the history of the Nigerian press which as a matter of facts is what in existence up till know. Journalists should avoid anything that will make them to set aside their professional judgment during the cause of performing their duty and should also avoid over simplification and exaggerating ways of presentation. Corroborating this Kayode Oladele {Kayode Oladele, 2009} stated that: *The media in Nigeria has been highly battered and highly compromised. It is now meant for the "highest bidder." Many journalists have become so compromised that their reports are based on what butters their bread; news has now become what serves their patron's interests . . . the lack of interests in building career in journalism as such and the greed and materialism of journalists have made it difficult for many journalists to maintain the standards and ethics of the profession. Worse still, some journalists do not know what constitutes minimum conduct and expectation of a professional journalist.*

Also Men of the Press should as much as the laws permit them make Nigeria Government accountable which is a step towards good governance. Likewise, the institution particularly government owned Press should learn how to accommodate others particularly Political Opponent{s} of government in power. It is on this basis I'm calling on National Assembly to amend National Broadcasting Commission Act in such a manner that we empower the 'Council' to revoke the license of any electronic media that allowed itself to be dominated by any political party in such a manner that opponent were decline access to make use of it without putting the owner into consideration. Dele Ajayi {2009} also suggested that the Nigerian journalist (as a nation conscience) should promote the understanding that in any election, somebody must loose while another must be victorious irrespective of their political inclination and the most important people in any election are the electorates involved and not the gladiators seeking power as a result of which the guidelines need to be kept irrespective of the bargaining power of the gladiators with the news media practitioner.

Men of the Press should avoid asking questions during interview and debate that can cause societal unrest as well as avoid publishing of such. Dele Ajayi have this to say: *At a daily average, I receive 2 calls or mail or text messages from within and outside Nigeria, from people urging me to relocate out of Ekiti particularly on the*

election date. One disturbing call came from my laboratory in Brazil, where I was working before coming to Nigeria. They were literarily begging me to leave the State and come to my lab than allow myself to be cut down in the impeding malady of Ekiti election. It was painful as I know that my host Professor got his information from my bookmarked Nigerian newspaper on my computer in the lab or from a search of Ekiti on the internet (which he normally does). I imagine many people were also victim of such plea call. The news waves were dominated by news of attempted assassination, rig and roast, thug attacks, etc.

It is also the duty of the Nigerian Press to educate the populace about the policies of Nigeria Government; the pros and cons of it as well as its reality and while doing this, the Press should be sincere about their message not to give information that is materially false either to tarnish the image of particular government or to confer underserved kudos on them particularly during this democratic dispensation of ours. The Nigerian Guild of Editors (NGE) and the Nigerian Union of Journalists (NUJ) are also challenged to be sincere with their supervisory role while the institution should endeavour to encourage their Staff for effective and efficiency discharging of their duty with better and encouraging welfare packages like good salary, good working conditions as well as provision of modern tools among others. Journalists are also enjoined to be conducting proper investigation before publishing or broadcasting any news. This is considering necessary because Men of the Press sometimes publish or broadcast information in which if properly investigated it wouldn't be published or broadcast.

Also Journalist should be publishing and or broadcasting reasonable and sensible news. News should not be reported for the purpose of humiliating, embarrassing and intimidating the personality concern just like the one reported by the Nation Newspaper on 16th September 2010 titled "Babangida's daughter slumps"{The Nation Newspaper, 2010}. The truth of the matter is that Aisha; Senior Daughter of General Ibrahim Babangida who is also Zamfara State Governor Mahmoud Shinkafi's Wife slumped at her father public declaration of his intention to seek his party's nomination as presidential candidate in this year's election. The fact that the reporter even made it clear thus "most people missed the incident as they were fixated on the former President who was reading his speech. Only those at home who might have been watching the programme live on television would have had an inkling of the incident" is a signal that he just wants to embarrass the affected personality. Nigerian Press was also enjoined to be respecting the privacy of individual and their families unless the public interest is affected.

Concluding remarks

It has been established so far that the Nigerian Press first emergent in our political arena is not to serve the political interest which its latter serve; up to the extent of exposing the atrocities which is been committed by some class of person who use Government as a shed. The most interesting fact at this junction is that those People did not fold their arms watching as a result of which lots were done in silencing them starting from Colonial era who introduced various Ordinances to the various Military governments that have governed us with series of Draconian Decrees and extended to the tagged democratic dispensation that we are and as a matter of fact they succeeded in silencing them which served as a shed to Corrupt Officers in Nigeria Government up till now and as well change the people's perception that corruption is normal practice.

In view of the above, I'm joining Millions of Nigerian who are calling on Nigerian Government {National Assembly in particular} to ensure passage of Freedom of Information {FOI} Bill or enact another Act that will guarantee Freedom of Nigerian Press because the fear of Nigerian Press by Nigerian in general and Nigerian politicians in particular is the beginning of wisdom which will assist in eradicating corruption in our political arena. Sincerely speaking, freedom of press is a threat to our politicians and their agents in view of magnitudes of various crimes perpetrated while in office ranging from corruption, assassination of opponents, character assassination e.t.c which can be unveiled by a free democratic press which has been the basis of opposing its reality.

It is on the basis of the sacred objective rest with Nigerian Press I'm conceding with Zayyad I. Muhammad {2007} when he stated that: ". . . We cannot deny the fact that, we as a nation are asking too much from the media, especially the print media, however, the public was pushed to be asking too much from the Fourth Estate of the Realm, because it appears whenever the Press sneezes, politicians, especially the lawless Ones, catch cold". Consequently, only politicians driven by concept of patriotism, honesty and mean-well for the Nigerians will stimulate the passing of the FOI Bill. It is on the basis of this task I'm calling the attention of all member of National Assembly to the facts that … *the lives of great men all do remind us that we can live our lives*

sublime and departing, leave behind us indelible footprints on the sand of time. {-Supo Owoeye, 2009} You should also not forget Shakespeare's view when he said that *the evils that men do live after them but the good is often interred with their bones. . . .* {J. J. Oluleye, 1985}

REFERENCE

A. A. Yahaya, "The Press", Quarterly Journal of Administrator 1990 pp. 221 - 222

Arthur Nzeribe, "Nigeria, Seven years after Shehu Shagari – Who Next?" Kilimanjaro Publishing House, London, 1990

Chris W. Ogbondah, "British Colonial Authoritarianism, African Military Dictatorship and the Nigerian Press" Africa Media Review, Vol. 6 No. 3 1992

Daily Sun Newspaper, 7 September 2009, p. 18

Dele Ajayi PhD, "Ekiti Re-Run Impasse: Nigeria journalism and the future of democracy in Nigeria" Sahara Reporter Official Home Page available at <http://www.saharareporter.com/index.php?option=com_content&view=article&id=2654:ekiti-re-run-impasse-nigeria-journalism-an-d-the-future-of-democracy-in-nigeria&catid=81:external-contib&itemid=300> accessed on 20th July 2009

Ese Malemi, "Mass Media Law" Princeton Publishing Company, Ikeja Lagos, 1999

Fred Omu, "Press and Politics in Nigeria 1880-1937" Longman Publisher London, 1978

'Goke Raufu, "Mass Media and the Society: issues and perspective" MEEK ASSOCIATES, Lagos, 2003

Hachten A. William, "Muffled Drum" Lowa State University Press, 1976

Jakande L. K, "the Role of the Mass Media in a Developing Nation" University of Ife, Faculty of Arts Series {4}, 1974

Kayode Oladele, "The journalist as a failing physician" Compass News Paper Official Home Page available<http://www.compassnews.net/news/index.php?option=com_content&view=article&id=23045:the-journalist -as-a- failing-physician&amp:catid=75:kayode-oladele&itemid=199"> accessed on 20th July 2009

Major-General J. J. Oluleye, "Military Leadership in Nigeria 1966 – 1979" University Press Ltd., Ibadan, 1985

Matthew H. Kukah, "Democracy and Civil Society in Nigeria" Spectrum Books Ltd., Ibadan, Nigeria, 1999

Media Rights Agenda, "Annual Report 2000" available at <http://www.mediarightsagenda.org/report/Annual_Report_2000.pdf> accessed on 21st July 2008

Media Sustainability Index 2006–2007' at page 257 available at <http://www.irex.orgprogramsMSI_Africa200672007MSI07_nigeria.pdf> accessed on 9th of December 2009

Peter Golding and Philip Elliot, "Making the News" Longman Publisher, London, 1979

Punch Newspaper, 29 March 2008, p. 9

Punch Newspaper 7th of March 2011 available at <http:www.punchng.comArticl.aspxtheartic=Art201103076462684.html> accessed on 25th February 2011

Reuben Abati, "Democratic struggle, freedom of expression and the Press in Nigeria" Paper presented at the Human Rights Second National Conference, Kano, Nigeria, 1998

-Supo Owoeye, "Unlocking the Nigeria Legal System" Dotpon Isola and Sons, 2009

The New York Time, 11 April 1976, p. 2

The Nation, 16 September 2010 available at <http://thenationonlineng.net/web3/index.php?news=13371> accessed on 13 November 2010

The New Webster's Dictionary of English Language, International Edition p. QD - 57

The Nigerian Tribune, 12 April 1976, p. 6

Tribune Newspaper, 16 December 2009 available at Tribune Newspaper Official Home Page at http://www.tribune.com.ng/16122009/politics.html accessed on 16th December 2009

Tribune Newspaper, 26th July 2011 available at http://www.tribune.com.ngindex.phpcomponentcontentarticle8728-press-council-law-npan-wins-at-high-court.htm accessed on 8th March 2011

Nigeria, "Country reports on Human Rights Practices" by Bureau of Democracy, Human Rights, and Labour, United State available at <http://www.state.gov/g/drl/rls/hrrpt/2000/af/index.cfm?docid=700> accessed on 23rd of December 2008

Vanguard, 29 July 2010 available at http://www.vanguardngr.com/2010/07/nigerian-press-council-act-violates-rights-of-free-speech-%E2%80%94-court/ accessed 12 November 2010

Zayyad I. Muhammad, "The Media and the 5th Republic" available at http://www.nigeriavillagesquare.comarticleszayyad-muhammadthe-media-and-the-5th-republic-15.html accessed on 9th December 2009

Received for Publication: 13/04/2011
Accepted for Publication: 14/05/2011